

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

MARK BATTALINE, an individual, and ,  
VINCENT ROSS, an individual,

Plaintiff,

v.

ADVEST, INC., corporation,

Defendant.

Civil Action No. 06-569

Judge Gary L. Lancaster

**STIPULATION AND [REDACTED] ORDER  
TO CONTINUE FINAL APPROVAL  
PROCEEDINGS**

**FILED ELECTRONICALLY**

[Joint Status Report filed concurrently herewith]

WHEREAS, the parties' joint motion for final approval of class action settlement in this matter is currently scheduled to be filed with the Court on June 30, 2008;

WHEREAS, the final fairness hearing regarding the settlement is currently set for July 7, 2008;

WHEREAS, after notice of the settlement was originally mailed to the class, additional class members were identified as set forth in the accompanying Status Report;

WHEREAS, the newly identified class members need to be sent notice of the settlement and given a chance to submit claims or otherwise respond to the notice; and

WHEREAS, the process of notifying the new class members of the settlement will require a continuance of the currently scheduled final approval briefing and hearing dates;

NOW, THEREFORE,

IT IS HEREBY STIPULATED by and among the parties hereto, through their respective counsel of record, as follows:

1. Notice of the settlement shall be mailed to the newly identified class members on or before July 7, 2008;

2. The new class members shall have until August 21, 2008, to respond to the notice, by which date their response(s) must be postmarked in order to be timely;

3. The response deadline shall remain June 23, 2008, for all class members who were sent notices in the original mailing;

4. The parties shall submit their joint motion for final approval of the settlement to the Court on or before September 5, 2008;

5. The final fairness hearing shall be continued to September 15, 2008, at 9:30 a.m.; and

6. The parties shall instruct the claims administrator to mail notice of the change in the final fairness hearing date to any class member who submits a notice of intent to appear or an objection to the settlement.

Dated: June 24, 2008

MUNGER, TOLLES & OLSON LLP  
By:

/s/ Terry E. Sanchez  
Terry E. Sanchez  
(Cal. State Bar No. 101318, *admitted pro hac vice*)  
Katherine M. Forster  
(Cal. State Bar No. 217609, *admitted pro hac vice*)  
355 South Grand Avenue, Thirty-Fifth Floor  
Los Angeles, CA 90071-1560  
Telephone: (213) 683-9100  
Facsimile: (213) 687-3702  
terry.sanchez@mto.com  
katherine.forster@mto.com

MORGAN LEWIS & BOCKIUS LLP  
Christopher K. Ramsey (ID No. 63293)  
One Oxford Centre, Thirty-Second Floor  
Pittsburgh, PA 15219-6401  
Telephone: (412) 560-3323  
Facsimile: (412) 560-7001

Michael J. Ossip (ID No. 30912, *admitted  
pro hac vice*)  
Morgan, Lewis & Bockius LLP  
1701 Market St.  
Philadelphia, PA 19103  
Telephone: (215) 963-5761  
Facsimile: (215) 963-5001

Attorneys for Defendant Advest, Inc.

Dated: June 24, 2008

CARLSON LYNCH LTD

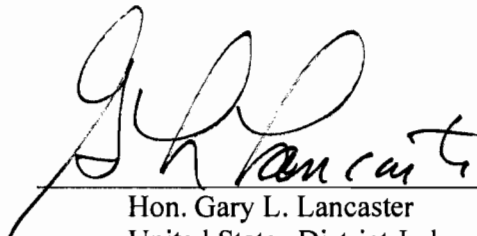
By: /s/ Gary F. Lynch  
Gary F. Lynch (PA ID 56887)  
R. Bruce Carson (PA ID 56657)  
P.O. Box 7635  
36 North Jefferson Street  
New Castle, Pennsylvania 16107  
Telephone: (724) 656-1555

Attorneys for Plaintiffs

**ORDER**

Good cause appearing therefor, IT IS SO ORDERED.

Dated: 6/30/08

  
\_\_\_\_\_  
Hon. Gary L. Lancaster  
United States District Judge